

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

SAMMIE KAY WALKER,)	
)	
Plaintiff,)	
)	
v.)	No. 1:18-cv-03589-TWP-TAB
)	
BOONE COUNTY RURAL ELEC. COOP,)	
)	
Defendant.)	

ENTRY GRANTING MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*, DISCUSSING ACTION, AND DIRECTING SERVICE

The plaintiff's motion to proceed *in forma pauperis*, Dkt. [2], is **granted**. 28 U.S.C. § 1915(e). While *in forma pauperis* status allows the plaintiff to proceed without *pre*-payment of the filing fee, the plaintiff remains liable for the full fees. *Robbins v. Switzer*, 104 F.3d 895, 898 (7th Cir. 1997) ("Unsuccessful litigants are liable for fees and costs and must pay when they are able."). No payment is due at this time.

Because the plaintiff is proceeding *in forma pauperis*, the Court has reviewed the petition pursuant to 28 U.S.C. § 1915(e)(2)(B). At this time, the Court has not determined that the action must be dismissed pursuant to § 1915(e), and therefore the action **shall proceed**. This ruling is without prejudice to the filing of a proper Rule 12 motion.

Because the plaintiff is proceeding *in forma pauperis*, Federal Rule of Civil Procedure 4(c)(3) requires the Court to order service for the plaintiff. Accordingly, the **clerk is directed** pursuant to Rule 4(c)(3) to issue process to Defendant Boone County Rural Electric Cooperative in the manner specified by Rule 4(d). Process shall consist of the complaint (Dkt. 1), applicable

forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Entry.

SO ORDERED.

Date: 11/29/2018

A handwritten signature in black ink, reading "Tanya Walton Pratt", written over a horizontal line.

TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

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